

BILL NO. G-79-12-13

GENERAL ORDINANCE NO. G- *Withdrawn*

AN ORDINANCE amending General Ordinance No. G-97  
by authorizing the vacation of a certain easement

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain easement  
having been filed with the Fort Wayne City Plan Commission in  
accordance with Section 44, Chapter 174, of the Acts of the  
General Assembly of the State of Indiana, as amended by Section 3,  
Chapter 385, of the Acts of 1963 of the General Assembly of the  
State of Indiana (I.C. 18-7-5-46), the Thoroughfare Plan as set  
forth in General Ordinance No. G-97 adopted by the Common Council  
of the City of Fort Wayne on November 26, 1963, is amended by  
deleting the following easement, to-wit:

An eight (8) foot easement established in the Plat  
of Harvester Park Addition to the City of Fort Wayne,  
being four (4) feet on either side of the rear and  
abutting lot lines of Lots 140 through 148 and 151  
through 158, extending from Redwood Avenue on the  
West to a 14 foot alley on the East.

SECTION 2. After passage of this Ordinance, approval by the  
Mayor and legal publication, a duly certified copy of this  
Ordinance, of the recommendation of the Fort Wayne City Plan  
Commission, and of the action of the Mayor, shall be transmitted  
by the City Clerk to the Board of Public Works of the City of  
Fort Wayne, Indiana.

SECTION 3. That this Ordinance shall be in full force and  
effect from and after its passage, approval by the Mayor and legal  
publication thereof.

*John F. Smith*  
Councilman

Approved as to  
form and legality

*[Signature]*

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_

Hings, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice, at the~~ Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 12-11-79

Charles W. Whitman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_,

seconded by \_\_\_\_\_, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
ATTEST: (SEAL)

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
MAYOR

BILL NO. G-79-12-13

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending General Ordinance No. G-97 by authorizing  
the vacation of a certain easement

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE PASS.

BEN A. EISBART - CHAIRMAN

JANET G. BRADBURY - VICE CHAIRMAN

PAUL M. BURNS

JOHN NUCKOLS

ROY J. SCHOMBURG

*Ben A. Eisbart*

*Janet G. Bradbury*

*Paul M. Burns*

*Samuel J. Talarico*

*R. J. Schomburg*

8-14-82  
CONCURRED IN  
DATE 8-14-82 CHARLES W. WESTERMAN, CITY CLERK

# RESOLUTION OF ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 11, 1979, referred a proposed easement vacation amendment to the City Plan Commission which proposed ordinance was designated as Bill G-79-12-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

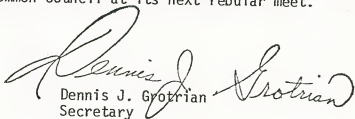
WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on January 11, 1980; and,

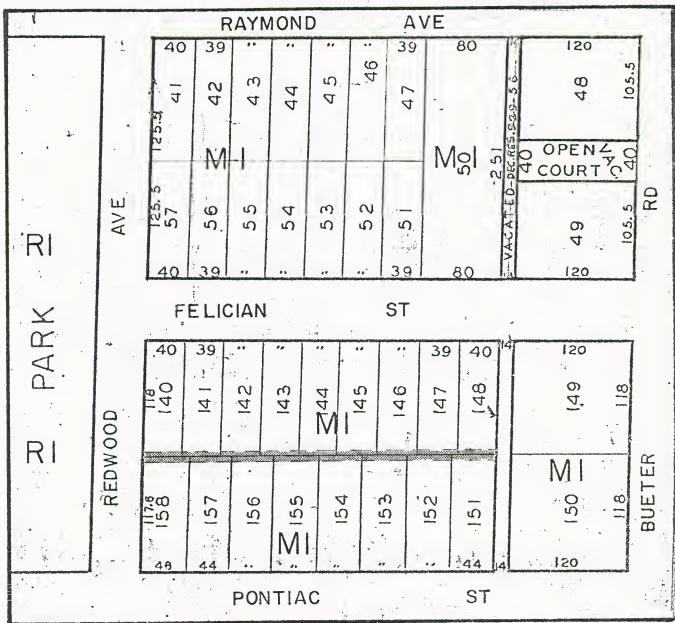
WHEREAS, there has been no further contact with regard to this ordinance from the petitioner as to its final disposition.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN.

BE IT RESOLVED that the secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meet.

Certified and signed this  
9th day of August 1982.

  
Dennis J. Grotrian  
Secretary



 Easement to be Vacated

Map No. R3

6-79-12-13





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

9 August 1982

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) easement vacation amendment:

1. Bill No. G-79-12-13
2. Plan Commission Recommendation: WITHDRAWAL

REASON: The public hearing on this petition was held on January 11, 1980 and the executive session was held on January 21, 1980. There has been no activity on the part of the petitioner that would bring this petition to City Council.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Gary F. Baeten  
Senior Planner

GFB:pb

Attachments

4743

DIGEST SHEET

Admn. Appr.

Wickham  
2-79-12-13

TITLE OF ORDINANCE Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE An 8' easement established in the Plat of  
Harvester Park Addition to the City of Fort Wayne, being four (4)  
feet on either side of the rear and abutting lot lines of Lots  
140 thru 148 and 151 thru 158, extending from Redwood Avenue on the  
West to a 14' alley on the East.

EFFECT OF PASSAGE Property is now used as a public easement. It  
will be closed to the public and revert to the adjacent property  
owners.

EFFECT OF NON-PASSAGE Property will remain an open easement.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

ASSIGNED TO COMMITTEE (J.N.) \_\_\_\_\_